

DEVELOPMENT REVIEW COMMITTEE

Tuesday, August 21, 2018

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, August 21, 2018**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER by Emily Schemper

ROLL CALL by Debra Roberts

DRC MEMBERS

Emily Schemper, Assistant Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Absent

STAFF MEMBERS

Steve Williams, Assistant County Attorney	Absent
Peter Morris, Assistant County Attorney	Absent
Bradley Stein, Development Review Manager	Present
Cheryl Cioffari, Comprehensive Planning Manager	Present
Debra Roberts, Administrative Assistant	Present

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Approval of the meeting minutes for Tuesday, July 25, 2018.

MEETING

1. Waste Management of Florida, Inc. Waste Transfer Station, 143 Toppino Industrial Drive, Rockland Key, Mile Marker 9 Bay Side: A public meeting concerning a request for a Major Conditional Use Permit for the Development of a proposed Waste Transfer Station. The subject property is described as a Parcel of Land in Part of Government Lots 5, 6 and 7, Section 21, Township 67 South, Range 26 East, Rockland Key, Monroe County, Florida, having Real Estate Numbers 00122070-000300, 00122080-000101 and 00122080-000301. (File #2018-106)

Mr. Bradley Stein, Development Review Manager, presented the staff report. This is a request for a Major Conditional Use Permit from Waste Management, Inc. of Florida, located at 143 Toppino Industrial Drive, Rockland Key, Mile Marker 9. The majority of this site plan has already been approved as a permitted use on the site in Industrial Zoning. The use is what is triggering the Major Conditional Use review. That portion of the site is roughly a 5,040 square feet tipping and sorting floor. The office and repair shop are already approved under Permit

18101789 and was already allocated NROGO on May 30, 2018, under Resolution P10-18. This application is generally in compliance. The portions requiring additional attention were then summarized. Pursuant to Section 130-82(c)(3), heavy industrial uses may be permitted with a MCU permit providing all outside storage areas are screened from adjacent uses by a solid fence, wall or hedge at least six feet in height. The plan shows landscaping is around the property but clarification is needed as to the wall, whether it's a stem wall or a wall to screen the site. An outdoor lighting plan shows light poles but a photometric plan was not provided to show that the code is met pursuant to Section 114-161 maximum illumination. Mr. Luke DeBock of Waste Management interjected that it was submitted and approved as part of the building permit along with the lighting plan. Mr. Stein responded that this would not be an issue. The recommended actions pursuant to LDC Section 110-70(b) are as follows: Prior to issuance of the building permit for any lighting on the site, lighting details and a photometric plan shall be provided demonstrating compliance with Chapter 114 Article VI. Prior to issuance of a Certificate of Occupancy and all landscaping shall have final bio instruction approval. The scope of work has not been reviewed for compliance with Florida Building Code, the Flood Plane Administrator and Office of the Fire Marshall. FDOT shall review any proposed work within state right-of-ways and the applicant is responsible for obtaining all required permits and a letter of intent before starting work.

Ms. Emily Schemper asked for staff comments or questions, adding that staff should keep the lighting condition in even though it sounds like it's already satisfied, and the condition addressing the screening requirement should also be added as it is required for the building permit. Also, staff should make sure the condition states that prior to issuance of a building permit, plans shall indicate compliance with Section 130-82(c)(3)(a) all outside storage areas are screened, etc. The staff report had been written before the community meeting was held. Mr. Stein indicated the meeting is scheduled for September 5.

Ms. Schemper asked for public questions or comments. Ms. Ann Olsen asked why the road needed to be rerouted, cutting through County property. Mr. Stein responded there are multiple entrances to and from the site, that they are all private roads and are not under County jurisdiction. Ms. Olsen then asked why they were using an injection well. Ms. Schemper responded that it was for stormwater. Mr. Bill Hunter asked if the traffic study took into account the transfer station activity. Mr. Stein responded that it did, and that a modification had been reviewed by the Traffic Engineers. Mr. Hunter asked if it was on the website for public review. Mr. Stein stated that there was an updated traffic study and Ms. Schemper asked him to make sure the file gets updated. Mr. Hunter asked if the traffic for the transfer activity occurring elsewhere was being taken into account. Mr. DeBock responded that this is at the same location. It is an existing transfer station that was on the Toppino property and it is being moved to the adjacent parcel, 100 yards away. Mr. Hunter asked if the transfer activity was going on today. Mr. Owen Trepanier responded that this is for the County and City, that it is Waste Management construction demolition debris and recycling/sorting facility. Mr. DeBock added that adjacent to it is a Key West transfer station for solid waste. Mr. Hunter continued that the traffic studies seem to take into account the housing of the trucks overnight but not the transfer activity. Mr. Trepanier reiterated that this is because it already exists. Mr. Hunter then asked if the traffic study takes into account approved projects within that segment of the highway. Ms. Schemper responded that it is supposed to, that the County's traffic consultant keeps a running tab of

what's been approved and what they've reviewed previously to consider those factors. Mr. DeBock reiterated that the existing facility is being moved to the adjacent property, adding that the access is through the Toppino property. Mr. Stein added that that this is scheduled for Planning Commission review on October 24, 2018.

Ms. Schemper then asked that items 2 and 3 be read together.

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE 2030 COMPREHENSIVE PLAN TO CREATE GOAL 109, OBJECTIVE 109.1, POLICIES 109.1.1, 109.1.2, 109.1.3, 109.1.4, 109.1.5, 109.1.6 TO ESTABLISH A HURRICANE IRMA RECOVERY PROCESS TO PROVIDE FOR THE DEVELOPMENT OF WORKFORCE HOUSING FOR A PERIOD OF 2 YEARS, DEFINING THE TERM WORKFORCE HOUSING, ESTABLISHING WORKFORCE HOUSING SHALL BE A PERMITTED USE IN CERTAIN LAND USE DISTRICTS, PROVIDING DENSITY BONUSES FOR WORKFORCE HOUSING, AMENDING THE DEVELOPMENT REVIEW PROCEDURES AND AMENDMENT PROCEDURES TO FACILITATE WORKFORCE HOUSING, AS RECOMMENDED BY THE BOCC; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-010)

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING MONROE COUNTY LAND DEVELOPMENT CODE CHAPTER 140 "HURRICANE IRMA RECOVERY GOAL" AND AMENDING SECTION 101-1 "DEFINITIONS" TO ESTABLISH A HURRICANE IRMA RECOVERY PROCESS TO PROVIDE FOR THE DEVELOPMENT OF WORKFORCE HOUSING FOR A PERIOD OF 2 YEARS, DEFINING THE TERM WORKFORCE HOUSING, ESTABLISHING WORKFORCE HOUSING SHALL BE A PERMITTED USE IN CERTAIN LAND USE DISTRICTS, PROVIDING DENSITY BONUSES FOR WORKFORCE HOUSING, AMENDING THE DEVELOPMENT REVIEW PROCEDURES AND AMENDMENT PROCEDURES TO FACILITATE WORKFORCE HOUSING, AS RECOMMENDED BY THE BOCC; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-092)

Ms. Cheryl Cioffari, Comprehensive Planning Manager, presented the staff report. Ms. Cioffari explained that she would discuss the Comp Plan and Land Development Code together because the language for one mirrors the other, with the Land Development Code containing a little more additional information as it pertains to the Overlay District.

The Comp Plan item was originally heard at DRC on January 30, 2018, and the Land Development Code was originally heard July 24, 2018. This DRC meeting is to solicit additional input based on options and previous public comment staff has received.

Goal 109, the hurricane recovery process, is broken down into two major changes. First would be the additional density bonuses proposed for three specific Zoning Districts, and then the process. The density bonus is easier and has less to it as far as actual changes. The additional density bonuses proposed are within the Mixed Use, Suburban Commercial and Urban Residential Zoning Districts. A table is provided in the Land Development Code and Comp Plan to clearly lay out the existing density, the maximum net density and then the proposed workforce housing initiative. A key point to keep in mind is that the additional density bonus under these Zoning Districts is only available to rentals of very low, low and median income. The fourth exhibit to both staff reports shows the current qualifying income limits for 2018. These do change annually based on the median annual income changes. The bonus is a 50-percent increase on the original density bonus, TDRs would not be required, and this bonus would be available for two years during the Hurricane Irma recovery process. One of the changes proposed under the recovery is to shift 75 percent of the remaining balance of affordable allocations to very low, low and median and 25 percent to moderate. The Planning Commission would then be required to set the balance remaining at the end of the two-year recovery process.

Ms. Schemper interjected that having the Planning Commission reset the balances is based on their current authorization to adjust the proportion of the income categories in any ROGO quarter and this is already included in the Code. Though they may have never done it prior, the Planning Commission actually has authority in any ROGO quarter to change these proportions.

Ms. Cioffari continued with the processes. The tables in the staff report were adjusted to make it read easier. For Development Agreements and Major Conditional Uses, the proposal is to reduce the community time frame down from the current 45 to 120 days, to 30 to 60 days prior to the Planning Commission meeting. For Major Conditional Uses, the proposal is to remove the protest procedure. Currently, the event of a written protest, the application shall not be approved unless there is a concurring vote of at least four Commissioners before the full board of either Commission. Under the recovery process, that is proposed to be removed. For Text Amendments to the Comp Plan, the proposal is to remove the concept meeting, the impact meeting and the community meeting, though there are still opportunities for public input. For the FLUM and Zoning Map Amendments, the community meeting would stay but the time frame would also be reduced from the current 45 to 120 days, down to 30 to 60 days. For the Map Amendments to the FLUM and Zoning, the protest procedure would be eliminated. These changes are listed in the table showing the existing and proposed processes. Currently, if there are 20 or more units in a development it is required to go before the Planning Commission for approval regardless of whether the Zoning District requires it. This process is also proposed to be eliminated.

Feedback has been received indicating density increases may or may not be appropriate. One option that arose is an overlay option which would be processed as a Map Amendment. Staff's proposed option for an Overlay District is found at page fifteen of the staff report which lays out the purpose and boundaries or areas eligible, which is proposed to be limited to Urban Residential, Suburban Commercial and Mixed Use, consistent with Board direction given in November 2017. The use would be subject to all underlying restrictions established within the Zoning District with the exception of density. Again, to get the density bonus it must be for rentals in very low, low and median. There is proposed minimum criteria which is still a work in

progress. There is a minimum size for parcels, though this may be flipped to a maximum size for parcels. There is a Tier III requirement, no affordable units in a V-Zone, infrastructure must be in place, and units cannot be within CBRs. Additional visitor parking would be required and a contiguous pedestrian walkway to encourage use of public transit. One question remaining is the breakdown for very low, low or median and whether that is a concern. The density bonuses are provided under dwelling units per buildable acre. Allocated density is dwelling units per gross acre. The difference between gross acre and buildable acre is the buildable acre has the required open space removed. For example, a proposal for an increase in Suburban Commercial to 27 units per buildable acre would be 21.6 units per gross acre; Urban Residential of 37.5 units per buildable acre is 30 units per gross acre. This generally comes up when comparing these densities to other municipalities.

Ms. Schemper asked for questions or comments from staff and there were none. Ms. Schemper then asked for public comment and questions.

Ms. Ann Olsen asked for clarification on the removal of open space in gross acreage. Ms. Schemper responded that the County's open space requirements are specified for each Zoning Category. These Zoning Categories require 20 percent open space which is subtracted from what the maximum net density looks to be, to get what the gross density would be. Mr. Bill Hunter asked what can and cannot go into open space. Ms. Schemper explained that the open space definition basically says it must be open from the ground to the sky, which would include pavers, driveways, pools, patios. Even something flat to the ground cannot go into open space other than gravel and grass. Ms. Dottie Moses asked if parking of vehicles and boat trailer storage is allowed in open space. Ms. Schemper responded that if it's movable storage, it could be. Ms. Moses stated that this is different than what she had been told some years ago and asked when it had been changed. Ms. Schemper did not believe it had changed. Ms. Moses asked if it was a different interpretation by a different Planner. Mr. Stein asked if Ms. Moses was referring to outdoor storage as a facility or on a single-family residence. Ms. Moses clarified she was referring to a facility. Mr. Stein stated that a facility is much different. Ms. Moses cited the example of a campground in her neighborhood that had been given high density and also had a required 20-percent open space which is always occupied with cars and trailers, and she had been told at the time that this would not be allowed. Ms. Schemper stated that her understanding is that it would not be counted against open space.

Mr. Hunter asked about a slab versus gravel. Ms. Schemper stated a slab counts against open space, and gravel counts as open space. As an example, if an affordable housing project required 20 parking spaces, if pavement or pavers were put in the parking area, it would count against the open space; however, if it were kept as gravel, it would not count against open space and would still count toward the required parking. Mr. Schaffer asked for further clarification. Ms. Schemper explained that by the time things like setbacks and stormwater requirements are considered, most sites are compliant with the 20 percent. Mr. Hunter asked if setbacks and landscaping counted towards open space. Ms. Schemper responded that it does. Mr. Joe Walsh added that practically speaking, once setbacks are calculated, the 20 percent open space is met on most properties.

Ms. Ann Olsen asked if there was anything to replace the protest procedures that were being eliminated. Ms. Schemper explained that the protest procedure forces a higher level of approval for the vote; a super majority versus a simple majority. The elimination of the protest procedure eliminates the super majority vote requirement. However, that super majority requirement is not a standard requirement for these types of approvals. It is a requirement that gets kicked in when a protest procedure is used. Mr. Hunter suggested Ms. Schemper explain why Option 2 had been crossed out as he felt that was where the confusion was. Ms. Schemper explained that normally, a project requires three out of five votes for approval. If enough property owners protest, that makes the voting requirement four out of five. The original proposal was to eliminate the protest procedure option, meaning there is no opportunity to force the four out of five votes and it would always be a three out of five vote. The thinking behind that was that it makes it more difficult to get approval for affordable housing projects with a lot of public dissent from surrounding neighbors who do not want affordable housing in their neighborhood. If the protest procedure is being used requiring a four out of five vote, the vote can only be held if all five Commissioners are present, which swings it back to the applicant's favor. Staff proposed eliminating that option thinking that requiring the full Board to be present was not helping with the intent as the Board had directed staff. The secondary option was to keep the protest procedure but require a full Board. Mr. Stuart Schaffer stated that in an attempt to streamline the process, this affects the voting requirement and not the timing of the process, which the public considers important. It appears that staff saw the problem of requiring four out of four, so kept it four out of five, the super majority voting requirement. Mr. Schaffer believes this should be kept. This is a substantive voting change rather than streamlining the project and allowing a project to be more likely to be approved is not the purpose. Ms. Schemper stated that the option could be reworded to keep the protest procedure and require a full board. There are three options: Eliminate the protest procedure; keep the protest procedure and require a full board; or, keep it as is. Staff had been directed to eliminate it, but the third option could be added.

Mr. Owen Trepanier stated that he considers himself the public, and the public is also the people who live in the workforce housing. The rest of the public are doing NIMBY activities to prevent these developments and he has heard some nasty stuff being said about affordable housing. The protest vote elimination is designed to streamline the process by avoiding appeals, requiring a full Board, and locating a project consistent with the development, which could postpone a hearing three, six, nine months. This is supposed to be an affordable housing incentive, not a how-to-stop-it ordinance. A lot of people may not like it but workforce housing is desperately needed in the Keys. Mr. Trepanier was upset about comments he'd received in Summerland. Passing or maintaining provisions in the ordinance that allow that kind of opposition to be contemplated in the Keys should not be allowed. Mr. Hunter stated that he would like to briefly respond to those comments. Ms. Schemper interjected that this meeting would not be allowed to be turned into a debate as she has no attorneys present. Mr. Hunter stated he agreed that any meeting will have those "two people" such as on Summerland, but that he has more confidence in the Planning and County Commissioners that they would take that for what it's worth and consider it that way.

Mr. Hunter continued, noting that the table on page seven and eight contained a statement that already requires a full Commission for a vote. So the elegant compromise that Mr. Schaffer had mentioned is a requirement. Ms. Schemper explained that the wording is different in different

places. On page ten for the Map Amendment it is not required. It could be put back in, but Ms. Schemper had believed staff had been requested to take it out.

Mr. Joe Walsh stated that he is also a member of the public and to have a super majority vote to keep people who work in Monroe County from having housing is not the general idea. The County does not have super majorities and extra votes required to do all kinds of things that are of critical importance. The whole point of this is designed to stop projects. Ms. Schemper clarified that the super majority requirement is not a new proposal here and is already in the Code. Mr. Walsh stated he understood after the work done last November that one of the ideas was to eliminate the protest provision requiring four votes, regardless of who showed up. He believes that whole idea is a dumb idea and that the elimination of it is “spot-on” for what the task and mission was for this working group. Ms. Dottie Moses stated that in Key Largo there are a lot of affordable housing projects that have been built, most of them are beautiful projects and she does not believe anyone has a problem living next to them. The concern is density which is already a problem in Key Largo with the older neighborhoods that were built before Zoning was in place. Many of those existing older neighborhoods actually qualify as affordable housing under the County’s income values. Density problems do not need to be added to.

Ms. Dottie Moses then asked about Zoning changes and how it seems that applicants can say they want it to do this, this and this to get the Zoning change, and then they get the Zoning change and do something else. Ms. Moses inquired how this new rule would protect against applicants doing something other than building affordable housing. Ms. Schemper clarified that this is not a Zoning change and asked if she was referring to the overlay. Ms. Cioffari asked if she was referring to an applicant with a lot or parcel that is not Zoned Mixed Use, Suburban Commercial or Urban Residential, sees this coming down the pike, says they want to take advantage of that so they apply to re-Zone and re-FLUM. Ms. Moses stated that was exactly what she was referring to. Ms. Cioffari went through the complete process using an example of Improved Subdivision with six lots. Required would be a FLUM and Zoning Amendment, a community meeting, DRC, Planning Commission, and the protest procedure would be eliminated. The main change would be a longer time frame for the community meeting and the possibility of the protest procedure. Ms. Schemper responded to the question of ensuring that the applicant actually does build affordable housing, stating there is really no way to do that. This would be left to the Board to look at and decide whether the location is appropriate for Urban Residential. Mr. Schaffer asked that if this is just for a Map Amendment and not necessarily for a workforce housing project, why the protest procedure was being eliminated. Ms. Schemper responded that if it was not for affordable housing it would go through the regular policy. Mr. Trepanier interjected that the Discouragement Policy would kick in, where if you increase density in one place it must be decreased somewhere else. Ms. Schemper added that the only situation where a Zoning and/or FLUM Amendment dedicated to affordable housing and rentals with certain income limits would be, which is what would qualify for this process, is where a Comp Plan Subarea Policy restricting the applicant to affordable housing and all of that criteria was also proposed. The only time Map Amendments get exempted from fees is if they are also proposing the Subarea Policy that would restrict it to only affordable housing. Under the option with no overlay, someone would need to have one of those three Zoning Categories or come in for a normal Map Amendment with the normal process and fees, switch to the correct Zoning Category, and then under the original option they would automatically get the extra density

bonus if the Zoning was switched. The overlay option means the Board would have to approve that overlay to a site giving the extra density, and that process could be under the revised process. Ms. Cioffari added that, in practice, what will happen if the Zoning and FLUM change were applied for without the Subarea Policy, the applicant would be subject to the Discouragement Policy. It would be a question of economics if the intent was really workforce housing. Mr. Hunter stated that the way he reads what has been proposed so far is that if someone is sitting on Suburban Commercial and this gets approved, they just go and apply. Ms. Schemper stated that he was correct for the non-overlay option. To apply for just a FLUM and a Map Amendment and say they were going to do workforce housing, the property would have to be locked down to just doing this exact type of workforce housing with the Subarea Policy. Mr. Schaffer asked if that would be by placing a deed restriction on the property. Ms. Schemper stated there were a number of sites where this has been done. Mr. Hunter added that the Subarea Policy is starting to push the 50 percent and allows continued development on environmentally sensitive land. Ms. Moses asked if someone coming in for this Zoning change would get the expedited process. Ms. Schemper stated they would not unless the Zoning change accompanied a restriction to workforce housing that qualifies it for the expedited process.

Ms. Moses asked for clarification on the overlay option. Ms. Schemper explained that to get the overlay option, a Map Amendment would need to be applied for and approved to then apply for the overlay and the extra density so any SC property throughout the Keys does not automatically get to do this. Mr. Schaffer asked if this Overlay District option was one or the other. Ms. Schemper responded that that was correct. Mr. Schaffer stated they are very similar. Ms. Schemper then referred to page five of the LDC staff report, File 2018-092, where the section regarding workforce housing density bonus begins and the table on the next page explains the options. That portion would be taken out or adjusted to say an applicant only gets the density bonus if they also get the overlay. Every SC, every MU, every UR does not get the density bonus, and any other property can get it if they get the overlay, it is not both. Mr. Hunter stated that is not how he read it. Mr. Schaffer stated that it is not clear. Ms. Cioffari added that the overlay option would be added below proposed subsection 140-5(c). Subsection (c) would need to be adjusted slightly to add the language in Option 2. These Zoning Districts would have the density available but it is not guaranteed. Mr. Hunter asked if all of the remaining changes in the process in Goal 109 applied, regardless of having an overlay. Ms. Schemper and Ms. Cioffari both responded that that was correct. Mr. Schaffer asked if the only way to get the density and the expedited process was through the Overlay District to implement Goal 109. Ms. Schemper summarized, even if you don't have the overlay yet, if you apply for the overlay, you get the expedited process for the Map Amendment because that's what it's about. Once you have the overlay, you get the density bonus and the expedited process for further development approval such as Conditional Use Permits. Mr. Hunter asked for confirmation that the overlay only applies to rental in the three low categories. Ms. Schemper confirmed that to be correct. Mr. Hunter asked if when building moderate, you would not need the overlay. Ms. Schemper responded that you would then not get the density bonus. Mr. Hunter added that the applicant would get everything else. Ms. Cioffari indicated that was how it was drafted.

Mr. Walsh stated that this was not making the process faster and gave an example: If he has a half an acre zoned Commercial that nine units can be built on, and now 13 units could be put on the parcel, if there's an overlay district required to access those additional four units, he would

need to apply, go through FLUM, go through a Map Amendment to see if that parcel qualifies for 13 units, so there's at least 120 days of this process before getting an approval or disapproval. Ms. Schemper agreed it would slow it down. Ms. Moses asked Mr. Walsh how he would squeeze in four more units. Mr. Walsh responded if the roof pitch could be lowered or units made smaller, or having one building instead of two buildings. Mr. Trepanier added that by doing attached units was one way to accomplish that. Ms. Cioffari stated that the overlay was drafted to respond to the concerns for the density. There may be developers that don't need or want the increased densities, but they want the expedited process. Though there were concerns about the process, it may not require an overlay to get the expedited process. The increased density in these Zoning Districts may not be appropriate in certain locations in the Keys. If the idea is you have to get the overlay to get the expedited process, then that would be adding additional requirements that slow down the process.

Mr. Schaffer stated that the protest requirement is not process, it is a substantive voting requirement and he would like staff to rethink doing away with the protest requirement. Ms. Schemper responded that is why the compromise option was put in. It would be presented as three options; eliminate it, keep it as is, or here is a compromise. Mr. Hunter agreed with Mr. Schaffer on the protest requirement. Mr. Hunter also stated that there are two things going on, one is an expedited process and the other is density. If the process can be sped up, it should be, as this discussion had started in November of 2017. The existing density in Suburban Commercial is more than appropriate for a lot of places up and down the Keys. The place where this is really needed is for the workers in Key West. Marathon has the land, but not the ROGOs. Key Largo gets workers from the mainland. The Committee said the Middle and Lower Keys has the greatest need, but the truth is the jobs are in Key West. A lot of them did live on Big Pine mainly because it was less expensive, but the real workforce for Key West is what this seems to be focused on. So the logical place to put it is as close to Key West as possible. The overlay makes sense for the density but not for the sped up process. Ms. Cioffari suggested staff would lay out the two options fully and completely to avoid any misunderstanding.

Mr. Hunter then wanted to make one more pitch for the community meeting, stating he believes that if the County's Comp Plan or Land Development Code is being changed, it is serious stuff, and whether it's County staff or the applicant doing it, those changes are serious and the public deserves a simple explanation of that. Without the community meeting, the first time the public has an opportunity to read about it is when the agenda for this meeting comes out. So unless the public watches the paper to know when the DRC is coming up, most people might miss it. It's not until the Planning Commission that the text change comes up. By the time it hits the Planning Commission, staff has pretty much done the work and it's all baked in. Ms. Cioffari asked for his opinion on the timing. Mr. Hunter thought it should all be sped up and compressed as much as possible. Mr. Trepanier added that in Key West they are called good neighbor meetings. Though they are not always required, they are done to eliminate a lot of opposition by sitting down face to face with the neighbors. They are timed so that if there are any changes, there is time to make them to stay on track with the Planning Commission. Ms. Moses agreed with keeping the community meetings. Ms. Cioffari stated they would be held, but the time frame would be reduced. Ms. Schemper added that the proposal is to eliminate them for Comp Plan and Code Text Amendments. Mr. Hunter pointed out that for the meeting in November the text was received only a week before the meeting and this is an example of why the non-

professionals need a little time. A community meeting helps people understand what's being done and why it's being done. It goes a long way towards reducing resistance and promoting cooperation. Ms. Schemper wanted to make it clear that this does not make any changes to the Board giving direction to process Text Amendments and that November meeting would not fall under any of these categories. Mr. Hunter stated he understood. Ultimately, the goal is to build workforce housing. Mr. Walsh added that the smaller-size parcels that may or may not benefit from density requirements, after sketching out lot sizes and adding 20 or 30-foot setbacks, the efficiencies are significantly greater when the parcel size gets larger. The likelihood of density increases being utilized on smaller-size parcels is a geometric impracticality. Ms. Cioffari agreed it doesn't work on the smaller parcels, and on parcel sizes of 17 to 20 acres the scale of density is way too much. There may be a threshold for too large of a parcel to be eligible as it may not work with community character. Mr. Schaffer added that this makes it clear why some of the comments about the right locations for these projects are so critical.

Mr. Hunter asked about page thirteen of the Comp Plan staff report below the table where there was a new statement, "The Planning Commission shall set the proportion of very low, low and median income allocations to moderate." Ms. Schemper stated that it was the proportion between the lower three categories to the upper category. Mr. Hunter stated that there are some very smart attorneys in this county and that this was a scary wording where someone could make that mean something that wasn't intended. Ms. Schemper agreed and explained what the intent was. The recovery process says that 75 percent will be in the lower categories and 25 percent in the moderate. If throughout this process, all of the upper categories get used up, after the recovery process the Planning Commission will look at the remaining number and decide what category they will go into. Ms. Moses reiterated that Key Largo already has a lot of density and she hates to see it get increased as this is a County-wide process. Mr. Walsh added that these density bonuses are not realizable without deed restrictions.

Ms. Schemper asked for further public comment.

Mr. Hunter stated that there was a lack of understanding by many folks as to whether the financial incentives from Federal government through the State could be applied to something deed restricted as workforce because it discriminates. Mr. Walsh responded that his understanding was that it can be used to discriminate against people who are retired and they are one of the protected classes. Florida Housing does not recognize Monroe County's position on workforce housing for people working in Monroe County and whether it is discrimination against people in a protected class.

Ms. Schemper interrupted the non-relevant discussion indicating that it was time for the meeting to be adjourned.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 2:44 p.m.